

1 REMARKS

2 Status of the Claims

3 Claims 1-21, 23-42, and 44 remain pending in the application, Claims 22 and 43 having been
4 previously cancelled. No changes have been made to the specification or the claims in this response.

5 Claims Rejected Under 35 U.S.C. § 102(e)

6 The Examiner has rejected Claims 1-17, 19-21, 24-38, and 40-42 as being anticipated by
7 Wang et al. (U.S. Patent No. 6,668, 376 hereinafter referred to as "Wang"). The Examiner asserts
8 that Wang describes each element of applicants' claimed invention. Applicants respectfully disagree
9 for the reasons discussed below.

10 In the interest of reducing the complexity of the issues for the Examiner to consider in this
11 response, the following discussion focuses on independent Claims 1 and 25. The patentability of
12 each remaining dependent claim is not necessarily separately addressed in detail. However,
13 applicants' decision not to discuss the differences between the cited art and each dependent claim
14 should not be considered as an admission that applicants concur with the Examiner's conclusion that
15 these dependent claims are not patentable over the disclosure in the cited references. Similarly,
16 applicants' decision not to discuss differences between the prior art and every claim element, or every
17 comment made by the Examiner, should not be considered as an admission that applicants concur
18 with the Examiner's interpretation and assertions regarding those claims. Indeed, applicants believe
19 that all of the dependent claims patentably distinguish over the references cited. Moreover, a specific
20 traverse of the rejection of each dependent claim is not required, since dependent claims are
21 patentable for at least the same reasons as the independent claims from which the dependent claims
22 ultimately depend.

23 Discussion of the Rejection of Independent Claim 1

24 Significant differences exist between Wang and applicants' invention with regard to step (d)
25 of independent Claim 1 because Wang does not teach or suggest that requests that are suppressed are
26 also further automatically generated requests, and the reference does not teach or suggest that the user
27 does not initiate the further automatically generated requests, and does not teach or suggest that if the
28 requests are not suppressed, access to the network address to obtain information not essential for the
29 use of the peripheral device by the host device would be enabled.

1 Specifically, applicants' step (d) recites "enabling a user to suppress further automatically
2 generated requests to execute a browser function on the host device, to access the network address to
3 obtain information not essential for the use of the peripheral device by the host device, wherein said
4 automatically generated requests are not initiated by the user." Therefore, there are thus at least five
5 claim components recited by step (d):

- 6 (1) a user is enabled to suppress requests to execute a browser function on the host device;
- 7 (2) the requests that are suppressed are automatically generated;
- 8 (3) the requests that are suppressed are also **further** automatically generated requests;
- 9 (4) the user does not initiate the automatically generated requests; and
- 10 (5) if not suppressed, the further automatically generated requests would access the network
11 address to obtain information not essential for the use of the peripheral device by the host device.

12 *Discussion of the Fifth Component of Step (d)*

13 Under the section entitled "Response to Arguments," the Examiner notes that applicants
14 asserted in the earlier Office Action response (4/13/2005) that Wang does not teach that the URL
15 "might include anything other than a device driver, or any information not related to the use of the
16 peripheral device," and that Wang does not teach "that the web site contains additional information
17 that is non-essential to the use of the peripheral device." In the present Office Action, the Examiner
18 asserts in response to applicants' previous arguments that the references fail to show certain features
19 of applicants' invention because the Examiner notes that the features upon which applicant relies
20 (i.e., a web site containing additional information that is non-essential to the use of the peripheral
21 device) are not recited in the rejected claims. Thus, the Examiner indicated that he would not read
22 limitations from the specification into the claims. However, applicants are traversing the rejection on
23 the basis that step (d) of Claim 1 does indeed recite that the user is enabled "to suppress further
24 automatically generated requests to execute a browser function on the host device," where the
25 purpose of such undesired automatically generated requests is "to obtain information not essential for
26 the use of the peripheral device by the host device." Thus, the language of this claim clearly supports
27 the argument made by applicants. Wang does not teach or suggest any step equivalent to step (d) of
28 Claim 1, because if Wang enables a user to control a browser function during the peripheral
29 installation process, that control by the user is not in regard to suppressing a "further automatically
30 generated requests to execute a browser function." Also, in Wang, control by the user of the browser

1 function occurs *during the peripheral installation process*, which means that it occurs to obtain
2 information that *is essential* to the use of the peripheral device by the host device – i.e., for the
3 opposite purpose of what applicants' claim recites.

4 One of the reasons applicants made the above assertions was in response to the Examiner's
5 citation to column 4, lines 4-9 and column 3, lines 58-60 of Wang from the Office Action of
6 10/19/2004 (page 9), because the Examiner had interpreted Wang to disclose that Wang could access
7 and obtain information not essential to the use of the peripheral device by connecting with special-
8 case URLs. However, even if Wang did teach that a browser can access web sites that include other
9 information not essential to the use of the peripheral device, Wang does not teach enabling the user to
10 suppress further automatically accessing such sites.

11 Applicants appreciate that the Examiner is asserting that access to a network address may not
12 only provide a device driver that is *essential* information, but also include a Web page, wherein the
13 Web page itself may include information that is *non-essential* to the use of the peripheral device. The
14 Examiner's citation to column 3 is reproduced below with the portion cited by the Examiner
15 underlined:

16 FIG. 2 shows the computer 1 of the present invention attached to a peripheral
17 device 2. The computer 1 includes a CPU 10 which controls the operations of the
18 computer 1. The CPU 10 is connected to the peripheral device 2 by a local port 11.
19 Further, the CPU 10 is connected to a communication line 15 by an input/output (I/O)
20 device 12. The communication line 15 may be any type of line permitting
21 communication from the computer 1 to the world wide web. The most typical form of
22 the communication line 15 is a standard telephone line. However, the communication
23 line 15 could also clearly be a wireless connection, a coaxial line in an instance in
24 which the I/O device 12 includes a cable modem, a T1 line, a local area network
(LAN), DSL, etc. Further, through the I/O device 12 and the communication line 15
the CPU 10 acts to access various URL addresses 16. The URL addresses 16 are
different web sites which can be accessed and which contain device drivers which can
be downloaded to the computer 1 (Emphasis added, Wang, column 3, lines 43-60).

25 Thus, applicants understand that Examiner is asserting from this citation that the URL
26 addresses that contain the device drivers may also have non-essential information – but Wang does
27 not state that these web sites have anything other than device drivers. Nevertheless, Wang implies
28 that the access of these web sites take place prior to installation of the peripheral device, because
29 these web sites contain device drivers that are needed for installation. In contrast, applicants' claim
30 indicates that the access of the network address to obtain information not essential for the use of the

1 peripheral device is prevented only for *further* automatically generated requests. So any teaching of
2 Wang in the above citation would appear to be in regard to the initially generated requests for drivers
3 only, unlike applicants' independent Claim, where any access to non-essential information is
4 prevented because further automatically generated requests for such information are suppressed by
5 the user.

6 The Examiner's citation to column 4 is also reproduced below with the portion cited by the
7 Examiner underlined:

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9 The computer 1 also includes a URL database 13, shown in FIG. 1 as a part of
10 the computer 1, but which can also be an external database. The URL database 13
11 correlates peripheral device identification data received from the peripheral device 2 to
12 specific URL addresses in any known manner. The URL database 13 is previously
13 generated with the help of manufacturers of peripheral devices; that is, the
14 manufacturers of the peripheral devices have to provide a specific URL address
15 containing a device driver in correlation with particular identification data provided
16 from a peripheral device. There are three distinct types of URLs: absolute, relative,
and local. There are also a few special-case URLs supported by some browsers.
Absolute URLs completely describe how to obtain a file on the Internet, and thus the
URL database 13 can preferably store absolute URL addresses. (Emphasis added,
Wang, column 3, line 61-column 4, line 9.)

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18 Again, applicants understand that the Examiner is asserting that non-essential information
19 may be accessed with these URLs. But it appears that Wang is teaching access to a URL database
20 only when retrieving necessary information, (i.e., the peripheral device), and thus, it appears that any
21 access of web sites that might contain non-essential information would occur only during an initial
22 request and that there is no teaching in Wang of further automatically generated requests such as
23 applicants recite in step (d) of Claim 1.

24 In addition, under the section entitled "Response to Arguments," the Examiner asserts that the
25 URL of Wang does include information not related to the use of the peripheral device as claimed,
26 because Wang teaches that the system could initially access a web page prior to obtaining a device
27 driver based on the provided identification data from the peripheral device. In support of this
28 assertion, the Examiner cites column 5, lines 17-22 (the portion cited by the Examiner is underlined)
29 as follows:
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1 In the embodiment noted above the CPU 10 finds the URL address based on
2 the provided identification data from the peripheral device 2 by accessing the URL
3 database 13. That URL database 13 need not be provided as a part of the computer 1,
4 but could also be stored on a web page which the computer 1 **initially** accesses, as an
5 example. (Emphasis added, Wang, column 5, line 17-line 22.)

6 Thus, the Examiner asserts it is clear that since this web page is not the actual device driver,
7 this web page is information that is non-essential to the use of the peripheral device as claimed and
8 thus that Wang reads upon the broad concepts of obtaining non-essential information at a URL.

9 Applicants appreciate that access to a network address not only may provide a device driver,
10 but that the Web page itself may be information that is non-essential to the use of the peripheral
11 device. However, this citation is referring to step S33 of Figure 3, which occurs prior to downloading
12 and installing the driver. Thus, this citation discloses that the web page is a web page that the
13 computer **initially** accesses in the process of and before automatically downloading a device driver.
14 In contrast, applicants' claim indicates that *after* accessing the network site to obtain the driver,
15 **further** automatically generated requests to obtain non-essential information can be suppressed by
16 the user. In other words, after the driver was downloaded to facilitate the installation of the
17 peripheral device (as recited in step (c)), any *further* requests automatically generated can be
18 suppressed. Thus, Wang does not teach or suggest all of the recitation of step (d). Accordingly, the
19 rejection of independent Claim 1 under 35 U.S.C. § 102 (e) in view of Wang should be withdrawn,
20 for the reasons given above, since Wang does not teach or suggest the recitation of independent
21 Claim 1.

22 Claims 2-17, 19-21, and 24 ultimately depend from independent Claim 1. Because dependent
23 claims are considered to include all of the elements of the independent claim from which the
24 dependent claims ultimately depend and because the Wang reference does not disclose or suggest all
25 of what is recited in independent Claim 1, the rejection of dependent Claims 2-17, 19-21, and 24
26 under 35 U.S.C. § 102(e) over Wang should be withdrawn for at least the same reasons noted above
27 in the traverse of the rejection of Claim 1.

28 Discussion of the Rejection of Independent Claim 25

29 Independent Claim 25 that is directed towards a system for automatically accessing
30 information related to an installation of a peripheral device and recites functions (c)(iii)(1) through
31 (c)(iii)(4), which are similar to the steps of independent Claim 1. Thus, for reasons similar to those

1 noted above in connection with independent Claim 1, independent Claim 25 also distinguishes over
2 Wang.

3 Accordingly, the rejection of independent Claim 25 under 35 U.S.C. § 102 (e) in view of
4 Wang should be withdrawn, for the reasons given above, since Wang does not teach or suggest the
5 recitation of independent Claim 1.

6 Claims 26-38 and 40-42 ultimately depend from independent Claim 25. Because dependent
7 claims are considered to include all of the elements of the independent claim from which the
8 dependent claims ultimately depend and because the Wang reference does not disclose or suggest all
9 of what is recited in independent Claim 25, the rejection of dependent Claims 26-38 and 40-42 under
10 35 U.S.C. § 102(e) over Wang should be withdrawn for at least the same reasons noted above in the
11 traverse of the rejection of Claim 25.

12 Claims Rejected under 35 U.S.C. § 103(a)

13 Claims 18 and 39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in
14 view of Lin et al. (U.S. Patent No. 6,523,083 hereinafter "Lin"). The Examiner asserts that it would
15 have been obvious to one of ordinary skill in the art at the time of the invention to combine the
16 teachings of Wang and Lin to include firmware updates in addition to the device driver resources
17 accessible through a network. One of ordinary skill in the art would have been motivated to consider
18 updating firmware in a peripheral device as Lin disclosed, it being necessary in keeping a peripheral
19 current and error free.

20 However, Claims 18 and 39 depend from independent Claims 1 and 25, which are patentable
21 for the reasons discussed above. Because dependent claims are considered to include all of the
22 elements of the independent claims from which the dependent claims depend, dependent Claims 18
23 and 39 are patentable for at least the same reasons discussed above with regard to independent
24 Claims 1 and 25. Accordingly, the rejection of dependent Claims 18 and 39 under 35 U.S.C. § 103(a)
25 over Wang in view of Lin should be withdrawn.

26 Claims 23 and 44 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang and
27 further in view of what was well known at the time of the invention. The Examiner asserts that it
28 would have been obvious to one of ordinary skill in the art at the time of the invention to modify the
29 invention of Wang to include periodically updating the database to add or change network addresses
30 pertaining to peripheral devices as claimed.



1 However, Claims 23 and 44 depend from independent Claims 1 and 25, which are patentable
2 for the reasons discussed above. Because dependent claims are considered to include all of the
3 elements of the independent claims from which the dependent claims depend, dependent Claims 23
4 and 44 are patentable for at least the same reasons discussed above with regard to independent
5 Claims 1 and 25. Accordingly, the rejection of dependent Claims 23 and 44 under 35 U.S.C. § 103(a)
6 over Wang in view of what was well known at the time of the invention should be withdrawn.

7 In view of the Remarks set forth above, it will be apparent that the claims remaining in this
8 application define a novel and non-obvious invention, and that the application is in condition for
9 allowance and should be passed to issue without further delay. Should any further questions remain,
10 the Examiner is invited to telephone applicants' attorney at the number listed below.

11
12 Respectfully submitted,

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18 MAILING CERTIFICATE

19 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a
20 sealed envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for
21 Patents, Alexandria, VA 22313-1450, on October 19, 2005.

22 Date: October 19, 2005

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